



COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

**Planning Services
Division**

Paul Thompson
Deputy Director of Planning

HEARING DATE: May 26, 2011

ITEM #: 2

TIME: 10:30 am

TO: Placer County Planning Commission

FROM: Stacy Wydra, Senior Planner

DATE: May 13, 2011

**SUBJECT: TEMPORARY CONDITIONAL USE PERMIT PCPA 20110098
SUGAR BOWL ACADEMY TEMPORARY FACILITY
CATEGORICAL EXEMPTION**

GENERAL PLAN AREA: Placer County General Plan

GENERAL PLAN DESIGNATION: Resort and Recreation

ZONING: FOR (Forestry)

STAFF PLANNER Stacy Wydra, Senior Planner

LOCATION: The proposed project is located approximately 200 feet west of the "West Bay" parking lot and approximately 300 feet North of Sugar Bowl Unit 3 – North Village Subdivision within the Sugar Bowl Ski Resort, three and a half miles southeast of Interstate 80, south of Donner Pass Road (Old United States Highway 40).

APPLICANT: Sugar Bowl Ski Team Foundation & Sugar Bowl Corporation c/o: Chris Parker

PROPOSAL:

The applicant is requesting approval of a temporary Conditional Use Permit for the placement and use of five temporary portable classrooms for an educational facility on an existing improved one-acre building site of the 43 acre parcel (APN: 069-320-063) located in the Sugar Bowl Ski Resort.

CEQA COMPLIANCE:

The temporary Conditional Use Permit is categorically exempt from the provisions of CEQA per Section 18.36.060, Class 4, Minor alterations in land use limitations of the

Placer County Environmental Review Ordinance, October 4, 2001 and per CEQA Guidelines Section 15304.

PUBLIC NOTICES:

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sierra Sun* newspaper. Other appropriate public interest groups and citizens were sent copies of the Public Hearing Notice, staff report and draft conditions of approval. No comments had been received at the time of completion of this staff report.

BACKGROUND:

Established in 1939, the Sugar Bowl Resort is one of the original ski resorts of Placer County, located south of Old Highway 40, at the Donner Summit area. In addition to the ski facilities, the Resort features a number of home sites (primarily single-family, but including some multiple family residential units), used almost exclusively as vacation homes.

The existing Sugar Bowl Resort comprises approximately 700 acres of land. The primary residential and commercial core within the overall facility encompasses approximately 80 acres of the overall property. Those 80 acres, commonly referred to as the "Village Core", currently contains the Village Lodge, residential vacation cabins, the Snow White cooperative lodge, the Chalet Townhomes, as well as various maintenance and ski related operations.

The Sugar Bowl resort area is unique in that during the winter months, it is mostly a "snowbound" community, not serviced by means of plowed roads. However, the Mt. Judah parking lot is plowed in the winter as it provides additional parking for the ski resort.

The area in and around the project is substantially developed. There are some road, infrastructure, parking and snow storage facilities that current operate adjacent to the site to serve existing neighboring residential developments, ski resort and railroad uses. Other than these facilities the site would best be described as Lodgepole Pine and Red Fir forest with an approximately ½ acre wetland located 200 feet northwest. The project will not impede upon or affect the nearby wetland resource.

In 2003, in preparation for the construction of a new maintenance building, an approximately 2-acre portion of the site was cleared and grubbed of vegetation. A driveway was constructed and compacted aggregate base material was placed on the building pad. Sugar Bowl Ski Resort has not subsequently pursued the construction of the maintenance building. The site improvements were signed off as completed by Department of Public Works (PN6821, September 2003, as a part of Sugar Bowl Ski Resort's East Bay parking lot development). The project proposes to utilize the existing disturbance for the placement of the classrooms and access.

	GENERAL PLAN DESIGNATION	ZONING
SUBJECT PARCEL	REC (Resort and Recreation)	FOR (Forestry)
NORTH	REC (Resort and Recreation)	FOR (Forestry)
SOUTH	REC (Resort and Recreation)	RES PD = 7.5 (Resort Planned Residential Development of 7.5 units per acre) RS-B-8 (Single-Family Residential – combining minimum Building Site of 8,000 square feet)
EAST	RR (Rural Residential) REC (Resort and Recreation)	FOR (Forestry)
WEST	REC (Resort and Recreation)	FOR (Forestry)

ANALYSIS:

Project Description

The applicants, the Sugar Bowl Ski Team Foundation, a non-profit organization operates the Sugar Bowl academy, an 8th through 12th grade college preparatory boarding and day school for competitive skiers since September of 1999 (accredited by the Western Association of Schools and Colleges). The Academy's current location is 19195 Donner Pass Road, Norden, Placer and Nevada Counties (the campus straddles the county line) and is comprised of permanent administrative and living accommodation buildings and "re-locatable" or "modular" classroom buildings. The five portable classrooms would accommodate for fifty-five students and approximately ten teachers.

Classrooms / Aesthetics

The applicants are proposing to utilize the previously prepared maintenance building site for the location of five portable classrooms for the Sugar Bowl Academy. A single temporary portable classroom is approximately 40'x24', 960 square feet. The total floor area of the five portable classrooms is 4,800 square feet. The buildings will be pre-manufactured off-site, transported to the site and installed on skids or a chassis on prepared compacted class II aggregate base per manufacturer's requirements. The buildings will be earth anchored or strapped per manufacturer's engineered requirements to resist turnover. The exterior materials will be applied by the manufacturer and will be painted or stained wood sheet product. Darker, 'receding' colors will be used to deemphasize the plain geometric nature of the modular buildings and will blend with the surrounding forest.

The proposed location of the temporary educational facilities will not impact trees, the existing wetland 200 feet away from the project site or cultural and paleontological impacts.

Snow Load

The modular structure's ability to withstand snow load will be maximized to attempt to achieve snow load requirements but will be limited by the nature of modular building construction. It is anticipated that a minimum snow load of 100 lbs/square feet can be achieved. Live loads will be transferred from the roof through walls to the chassis and/or perimeter skids. This modular construction limitation may fall short of achieving live load objectives. A snow buildup monitoring and removal mitigation regimen will be employed and will be reflected in a plan to be agreed upon by Placer County and the project proponent. A condition of approval is recommended within the conditions of approval should the Commission act to approve the temporary Conditional Use Permit.

Access / Parking

Project access will be via the existing paved driveway flare off Lupine trail (the summer access drives from the West Bay parking to Mule Ears Drive). The driveway is not currently paved beyond the exiting flare. The balance of the driveway is compacted class II aggregate base material to the classroom locations. The driveway and surrounding grounds are proposed to remain compacted aggregate base or native material. Parking will be provided by Sugar Bowl Ski Resort's existing West Bay parking lot (approximately 400 spaces). Approximate parking needs for students and instructors is estimated at fifteen spaces. The use of the fifteen parking spaces of the West Bay parking lot will not create a deficiency in the required parking for the ski resort.

Accessibility requirements will be satisfied by providing the requisite number of paved accessible parking spaces (one to two). An accessible path of travel will be established from these parking spaces to the classrooms.

Drainage

There is an existing rock lined channel that is located to the north of the proposed location of the classrooms. The rock lined channel collects and directs the runoff from the West Bay paved parking area and the improved area of the proposed project site. There are no changes to the existing rock lined channel. The rock lined channel will continue to accommodate the development of the proposed project site.

This proposed project has been designed to conform to the applicable Placer County General Plan policies and standards and the applicable standards of the Zoning Ordinance, with the exception of the request to temporary occupy the site with educational facilities which is discussed and supported within this staff report.

General Plan/Community Plan Consistency

The entire project site is within the Resort and Recreation designation of the Placer County General Plan. Five different zones are identified by the General Plan as consistent with the designation. They include Forestry (FOR); Resort (RES); Residential Single Family (RS); Residential Multi-Family (RM); Open Space (O); and Water Influence (W). The requested discretionary approval of the temporary Conditional Use Permit will provide temporary dispensation for a use compatible with and allowed under adjacent zoning (RES) and the underlying General Plan designation in the absence of

the ability to process a timely rezone of the subject parcel and the fact that a permanent site will be sought by the proponent through the rezoning of the appropriate site.

Zoning Consistency

The current zoning for the project site is FOR Forestry. Educational facilities are not currently an allowed use within the FOR zone district. Per Section 17.56.300 *Temporary Uses and Events* any use except mobile homes may be authorized on a temporary basis in any zone subject to approval of a Conditional Use Permit. The Planning Commission may authorize a temporary use for a maximum of two years in the agriculture, resource and open space districts. The maximum duration for this temporary use therefore is two years as it is located in FOR zone district and considered a resource district.

The applicants have indicated that a rezone request will be filed for the project site to seek permanent use of the site as classrooms during the temporary use of the site for the school.

Land Use Compatibility/Site Considerations

The project site is currently disturbed and undeveloped; however the classrooms would be consistent with the surrounding uses in that the students as part of their curriculum requires the use of the ski hill.

Visual Impacts

The visual impacts of the developed project will be minimal. The classrooms will be visible from the West Bay parking lot however, the classrooms are associated with the ski hill and visual impacts will be less than significant. Additionally, the site was previously approved for a maintenance yard which would have had a greater visual impact than the classrooms therefore it can be concluded that there will be no visual impacts. While there may be distant views of the roof-tops of the portable classrooms, these views are very distant and the tree cover in between is heavily dense providing an additional buffer.

Lighting impacts to surrounding properties will be addressed with a recommended condition requiring that any lighting shall be shielded and directed downward, consistent with the Lighting Standards of the Placer County Design Guidelines as identified in the recommended Conditions of Approval.

DONNER SUMMIT MUNICIPAL ADVISORY COUNCIL

The project was reviewed by the Donner Summit Municipal Advisory Council (DSMAC) on April 21, 2011 and the DSMAC unanimously recommended approval of the temporary Conditional Use Permit for the placement of classrooms on the subject site for the operation of an educational facility.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the Temporary Conditional Use Permit subject to the following findings and attached recommended conditions of approval.

FINDINGS:**CEQA Findings****Environmental Review / California Environmental Quality Act (CEQA):**

1. This project is categorically exempt from the provisions of CEQA per Section 18.36.050 (Class 3) [New Construction or Conversion of Small Structures] of the Placer County Environmental Review Ordinance, October 4, 2001. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures. The project will not create a significant impact to the surrounding properties, structures, or public.

Conditional Use Permit Findings

1. The proposed temporary use of portable classrooms and the placement of the classrooms are consistent with all applicable provisions of the Placer County Zoning Ordinance and all applicable provisions of other chapters of the Placer County Code. As detailed in the staff report to the Planning Commission temporary uses may be allowed on a temporary basis in any zone district. The applicants are requesting approval of a temporary Conditional Use Permit for the use of a school in the Forestry (FOR) zoning district consistent with the requirements of Section 17.56.300 *Temporary Uses and Events* of the Placer County Zoning Ordinance.
2. Although the classrooms are not consistent with the Forestry (FOR) zoning district, the project could be considered consistent with the applicable policies and requirements of the Placer County General Plan designation of the Resorts and Recreation, and any specific findings required by any of these plans are made through this approval.
3. The establishment, maintenance or operation of the temporary educational facilities, under the circumstances of this particular project, will not be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the area of the proposed project, or be detrimental or injurious to property or improvements in the surrounding vicinity or to the general welfare of the County. With the approval of the temporary Conditional Use Permit will ensure that either a rezone will have to be reviewed and approved or the classrooms and education facility operations are removed and ceased at the end of the time frames approved by the Planning Commission. Furthermore, it was determined by the categorical exemption there will be no environmentally significant impacts associated with the construction of the classrooms and operations of the educational facility.

4. The temporary educational facilities and operations will be consistent with the character of the immediate area surrounding the project site and will not be contrary to the orderly development of the area. This project is an accessory use to the development of the Sugar Bowl ski area. This project is consistent and compatible in design and development of similar apparatuses within the Sugar Bowl development area.
5. The temporary educational facilities and operations will not generate a volume of traffic beyond the design capacity of all roads providing access to the project, either those existing or those to be improved with the project. The students are currently transported to the Sugar Bowl Ski Resort from the existing location off of Donner Pass Road, therefore no new traffic trips will be generated as a result of this project. There are no significant impacts associated with the circulation pattern proposed for the project. The use of snow cats to provide access to the classrooms during the winter months will not create a significant impact associated with access to the temporary educational facilities.

Respectfully submitted,



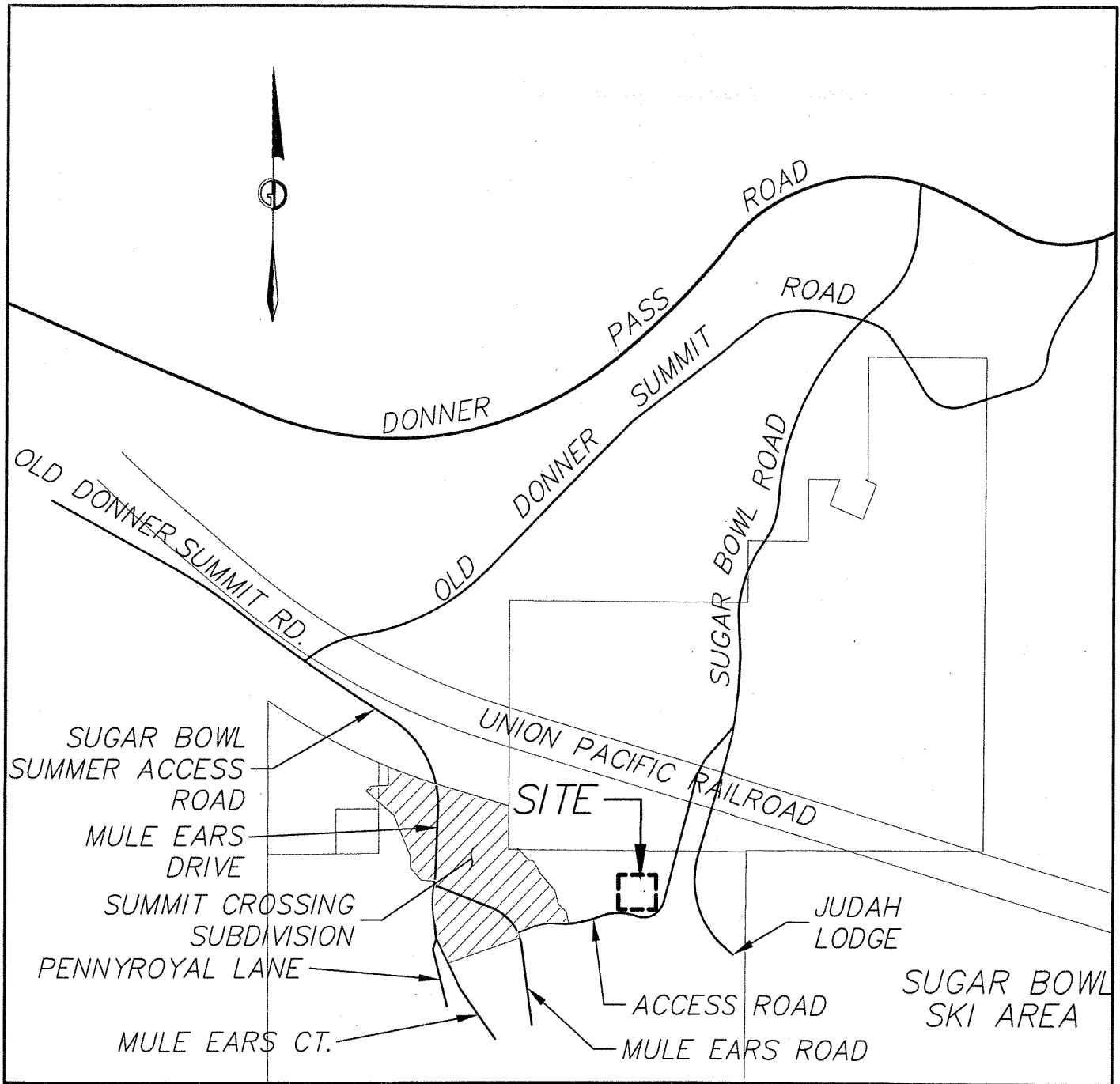
Stacy Wydra, Senior Planner

ATTACHMENTS:

Attachment A— Vicinity Map / Site Plan

Attachment B— Recommended Conditions of Approval (including EXHIBIT A)

cc: Owner – Sugar Bowl Ski Team Foundation & Sugar Bowl Corporation
Applicant – Sugar Bowl, Mt. Lincoln, LLC c/o: Christopher Parker
Holly Heinzen – CEO Office
Karin Schwab - County Counsel's Office
Michael Johnson – CDRA/Planning Director
Paul Thompson - Deputy Planning Director
Allen Breuch – Supervising Planner
Rich Moorehead - Department of Public Works
Sarah Gillmore - Engineering & Surveying Department
Mohan Ganapathy - Environmental Health Department
Angel Ringer - Air Pollution Control District
Andy Fisher - Parks Department
Subject/chrono files



VICINITY MAP

SCALE: N.T.S.

RECEIVED
APR 05 2011

PLANNING DEPT.
TAHOE

ATTACHMENT A

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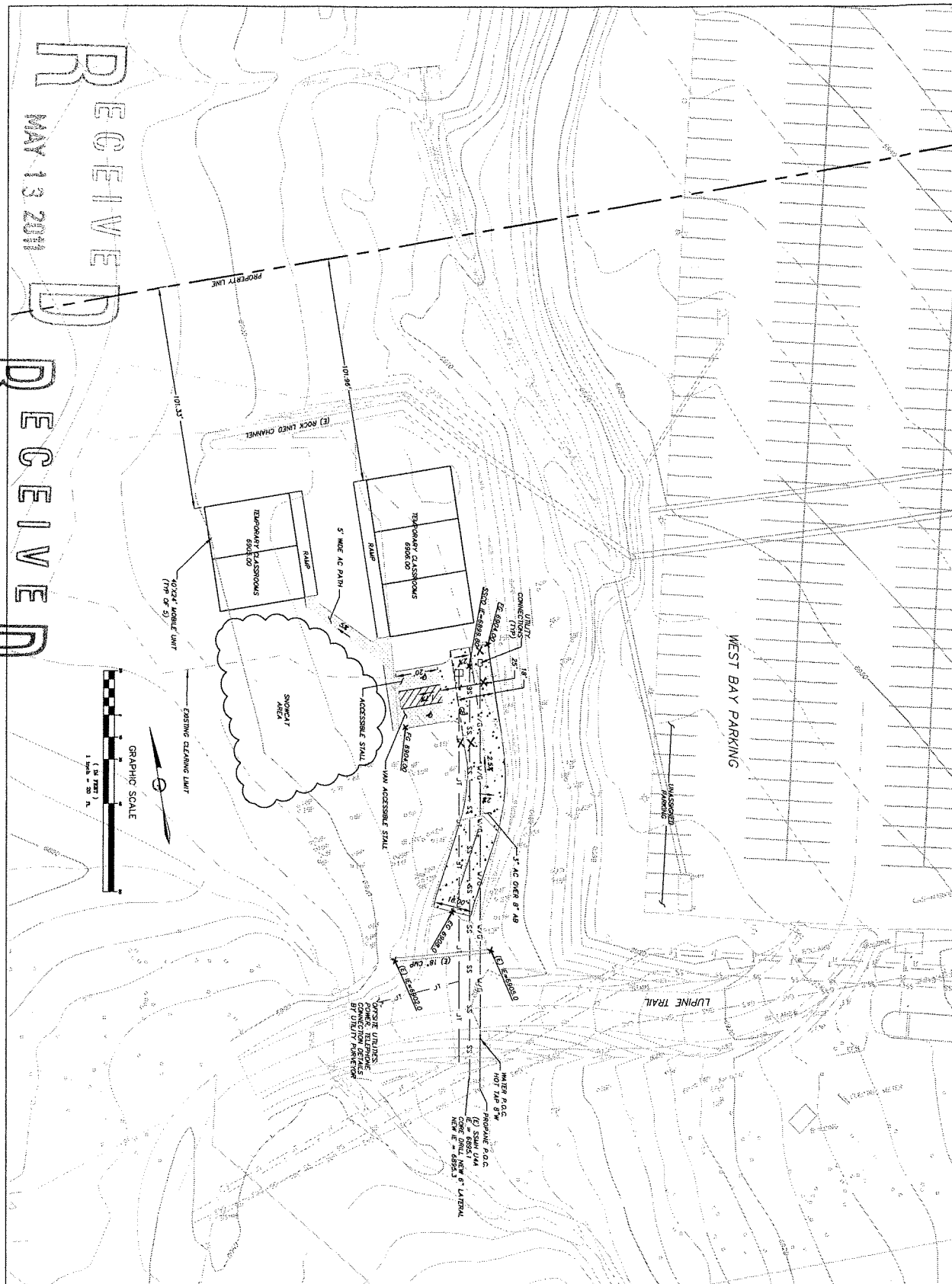
SUGAR BOWL ACADEMY TEMPORARY FACILITY

SUGAR BOWL
NORDEN, CA
PLACER COUNTY
069-320-063

GARY DAVIS GROUP
DESIGN AND ENGINEERING

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<p>RECEIVED MAY 13 2011 PLANNING DEPT. TAHOE</p>		<p>RECEIVED MAY 17 2011 PLANNING DEPT.</p>	
<p>SITE PLAN</p>			
<p>AS NOTED 735-BE-SITE.DWG 05.12.2011</p>			
<p>C1</p>			
<p>11 OF 1 SHEETS</p>			





**RECOMMENDED CONDITIONS OF APPROVAL - TEMPORARY
CONDITIONAL USE PERMIT - "SUGAR BOWL ACADEMY
PORTABLE CLASSROOM " (PCPA 20110098)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. The Temporary Conditional Use Permit (PCPA 20110098) is approved for the placement and use of five temporary portable classrooms for a period of two years on the existing improved building site located within the Sugar Bowl Ski Resort to be operated by the Sugar Bowl Academy, located on APN 069-070-045. The project shall operate as described within the staff report and as shown on the submitted site plan and project description on file in the Community Development Resource Agency, except as modified by the conditions of approval.
2. The Planning Director may authorize minor alterations to the approved plans and conditions of approval in accordance with Section 17.58.180(A) of the Zoning Ordinance. Major changes and alterations to the approved plans and conditions of approval shall be reviewed and approved by the Zoning Administrator in accordance with Section 17.58.180(B) of the Zoning Ordinance.
3. For project modifications and design elements not addressed by the Planning Commission in their design approval of the project, the Planning Director may impose additional requirements on the site and building design to ensure consistency with the County Design Guidelines.
4. Prior to building permit issuance and/or occupancy approvals, the applicant shall comply with any conditions imposed by CDF or the serving fire district, Truckee Fire Protection District.
5. Prior to building permit issuance, the applicant shall comply with the requirements of the Placer County Building Services Division.
6. Prior to the construction, installation and/or operation of the Academy, a snow buildup monitoring and snow removal roof plan shall be submitted for review and approved by the Development Review Committee. The specifics of the plan(s) shall include but not be

limited to, timing of when snow will be removed from the roofs of the portable classrooms, how the snow will be removed, etc.

7. Prior to the issuance of a building permit if any lighting is proposed with the project the lighting details shall be provided to the Planning Department. The lighting shall be directed downward and shielded in compliance

8. The applicant shall prepare and submit Limited Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on and off site. All existing and proposed utilities and easements, on site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or Development Review Committee (DRC) review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD in both hard copy and electronic versions in a format to be approved by the ESD prior to acceptance by the County of site improvements.

Any Building Permits associated with this project shall not be issued until, at a minimum, the Improvement Plans are approved by the Engineering and Surveying Department.

Prior to the County's final acceptance of the project's improvements, submit to the Engineering and Surveying Department two copies of the Record Drawings in digital format (on compact disc or other acceptable media) in accordance with the latest version of the Placer County Digital Plan and Map Standards along with two blackline hardcopies (black print on bond paper) and two PDF copies. The digital format is to allow integration with Placer County's Geographic Information System (GIS). The final approved blackline hardcopy Record Drawings will be the official document of record.

9. The Improvement Plans shall show all proposed grading, drainage improvements, vegetation and tree removal and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) and Stormwater Quality Ordinance (Ref. Article 8.28, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Development Review Committee (DRC). All cut/fill slopes shall be at a maximum of 2:1 (horizontal: vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation. Fill slopes shall not exceed 1.5:1 (horizontal: vertical).

The applicant shall revegetate all disturbed areas. Revegetation, undertaken from April 1 to October 1, shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to ensure proper installation and maintenance of erosion control/winterization before, during, and after project construction. Soil stockpiling or borrow areas, shall have proper erosion control measures applied for the duration of the construction as specified in the Improvement Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the Engineering and Surveying Department (ESD).

The applicant shall submit to the ESD a letter of credit or cash deposit in the amount of 110 percent of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body.

10. The Improvement Plans shall show that water quality Best Management Practices (BMPs), shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development

/ Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department (ESD)).

Construction (temporary) BMPs for the project include, but are not limited to: Revegetation of disturbed areas.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the ESD. BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees.

11. For the purposes of maintaining water quality and controlling sediment transport, all on-site parking and circulation areas shall be improved with an all-weather surface driveway from an approved access roadway capable of supporting a 40,000-pound fire truck. It is recommended that the surfacing structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 6-inches AB over compacted soil (95% relative compaction).

12. Construct the road/driveway onto Lupine Trail to a minimum width of 20-feet or to a width designated by the appropriate fire protection district, whichever is wider.

13. Roadway improvements shall include adequate vehicular turn-around improvements and easements for utility vehicle access as required by the Engineering and Surveying Department.

14. Provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the start of construction

15. No vehicle or equipment maintenance shall be allowed onsite in the vicinity of this project.

16. All stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to prevent off-site transport of trash by the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use.

ENVIRONMENTAL HEALTH

17. If at any time during the course of executing the proposed project, evidence of soil and/or groundwater contamination with hazardous material is encountered, the applicant shall immediately stop the project and contact Environmental Health Services Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of Environmental Health Services and to Lahontan Regional Water Quality Control Board. A note to this effect shall be added to the Improvement Plans where applicable.

18. The discharge of fuels, oils, or other petroleum products, chemicals, detergents, cleaners, or similar chemicals to the surface of the ground or to drainage ways on, or adjacent to, the site is prohibited.

19. If Best Management Practices are required by the DPW for control of urban runoff pollutants, then any hazardous materials collected shall be disposed of in accordance with all applicable hazardous materials laws and regulations.

20. The dumpster location and enclosure shall be reviewed and approved by the Development Review Committee and the solid waste collection franchise holder.

21. Submit to the Environmental Health Services a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service.

22. Submit to Environmental Health Services a "will-serve" letter from Donner Summit Public Utility District indicating that the district can and will provide sewerage service to the project. The project shall connect the project to this public sewer.

23. Submit to Environmental Health Services, for review and approval, a "will-serve" letter or a "letter of availability" from Donner Summit Public Utility District for domestic water service. The applicant shall connect the project to this treated domestic water supply

AIR POLLUTION

24. A. Prior to approval of Grading or Improvement Plans, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. The applicant shall not break ground prior to receiving APCD approval, of the Construction Emission / Dust Control Plan.

B. Include the following standard note on the Grading Plan or Improvement Plans: The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the APCD prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.

C. Prior to approval of Grading or Improvement Plans, whichever occurs first, the applicant shall provide a written calculation to the Placer County APCD for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB statewide fleet average emissions.” Acceptable options for reducing emissions may include use of newer model year engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The following link shall be used to calculate compliance with this condition and shall be submitted to the Placer County APCD as described above: <http://www.airquality.org/ceqa/> (click on the current “Roadway Construction Emissions Model”).(APCD)

25. Prior to the approval of Grading or Improvement Plans, the applicant shall list on the Improvement Plans all applicable notes contained within the District’s Standard Notes for Improvement Plans (Exhibit-A: APCD Standard Notes for Improvement Plans).

26. Prior to the issuance of building permits, the applicant shall be required to obtain an Authority to Construct (ATC) permit from the Placer County Air Pollution Control District for any proposed stationary sources or processes (i.e. certain types of engines, boilers, heaters, etc.) associated with this project. In general, the following types of sources shall be required to obtain a permit: 1). Any engine greater than 50 brake horsepower, 2). Any boiler that produces

heat in excess of 1,000,000 Btu per hour, or 3) Any equipment or process which discharge 2 pounds per day or more of pollutants. Note that equipment associated with residential structures containing no more than 1 to 4 residential units are exempt from this requirement. Developers / contactors should contact the District prior to construction for additional information. *(Based on APCD Rule 501 and the California Health & Safety Code, Section 39013).* **(APCD)**

27. Include the following standard note on the plans submitted for building demolition: The demolition or remodeling of any structure may be subject to the National Emission Standard for Hazardous Air Pollutants (NESHAPS) for Asbestos. This may require that a structure to be demolished be inspected for the presence of asbestos by a certified asbestos inspector, and that all asbestos materials are removed prior to demolition. For more information, call the California Air Resources Board at (916) 322-6036 or the U. S. EPA at (415) 947-8704. *(Based on Calif. Code Regulations, Title 22):* <http://www.ciwmb.ca.gov/Regulations/Title14/ch35.htm> *Code of Federal Regulations, Title 40:* <http://www.ncdot.org/doh/preconstruct/ps/word/SP2R10.doc> **(APCD)**

MISCELLANEOUS CONDITIONS

28. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded by a certain development project known as the Sugar Bowl Academy Temporary Conditional Use Permit. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provision of this condition. **(County Counsel)**

EXERCISE OF PERMIT

29. The portable classrooms shall be removed by June 6, 2013 or at the end of the 2013 school year unless a rezone has been approved allowing for the use of the temporary educational facilities. If a rezone is not approved, the classrooms shall be removed by September 6, 2013, within three months of the June 6, 2013. The classrooms shall not be

stored on the site and the classrooms are removed the site shall be restored to a natural state, including but not limited to revegetation of the disturbed land.

30. The effective date of approval shall be June 6, 2011, unless the approval is appealed to the Planning Commission. In accordance with Section 17.58.140(D) and 17.58.160(B)(1) of the Zoning Ordinance, the approval of the conditional use permit shall be valid for twenty-four (24) months after its effective date. At the end of that time, the approval shall expire and become null and void unless the time limits of the conditional use permit are extended per Section 17.58.160(B) of the Zoning Ordinance.

Exhibit A: District and State Rule Based Requirements

(To be included as standard notes on all Improvement Plans and/or Grading Plans)

R1. Include the following standard note on the Improvement/Grading Plan: Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours. ***(Based on APCD Rule 202)***

R2. Include the following standard note on the Improvement/Grading Plan: The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours. ***(Based on APCD Rule 228)***

R3. Include the following standard note on the Improvement/Grading Plan: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. ***(Based on APCD Rule 228 / section 401.5)***

R4. Include the following standard note on the Improvement/Grading Plan: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less. ***(Based on APCD Rule 228 / section 401.2)***

R5. a). Include the following standard note on the Improvement/Grading Plan: In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction).

b). Include the following standard note on the Improvement/Grading Plan: The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties. ***(Based on APCD Rule 228 / section 402)***

R6. Include the following standard note on the Improvement/Grading Plan: The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. ***(Based on APCD Rule 228 / section 401.1, 401.4)***

R7. Include the following standard note on the Improvement/Grading Plan: During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site. **(Based on APCD Rule 310)**

R8. Include the following standard note on the Improvement/Grading Plan: A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions Rule 217. **(Based on APCD Rule 217).**

R9. Include the following standard note on the Improvement/Grading Plan: Processes that discharge 2 pounds per day or more of air contaminants, as defined by Health and Safety Code Section 39013, to the atmosphere may require a permit. **Permits may be required for both construction and operation.** Developers/contractors should contact the District prior to construction and obtain any necessary permits prior to the issuance of a Building Permit. **(Based on the California Health & Safety Code section 39013: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=39001-40000&file=39010-39060>)**

NOTE: For complete listing of APCD Rules please visit:
<http://www.placer.ca.gov/Departments/Air/Rules.aspx>